

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RAYMOND PELZER, Plaintiff	:	CIVIL ACTION
	:	
	:	
v.	:	NO. 07-38
	:	
CITY OF PHILADELPHIA, et al., Defendants	:	
	:	

ORDER

STENGEL, J.

AND NOW, this 31st day of August, 2009, upon consideration of the defendants' motion for summary judgment (Document #38), it is hereby ORDERED that the motion is GRANTED IN PART and DENIED IN PART as follows:

1. With respect to the Section 1983 claims against Officer Burton, Commissioner Johnson, and the City, the motion is DENIED;
2. With respect to the failure to train claims against Commissioner Johnson and the City of Philadelphia, the motion is DENIED;
3. With respect to the state law claims against Officer Burton, the motion is DENIED;
4. With respect to the state law claims against Commissioner Johnson and the City, the motion is GRANTED.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.